

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:16CR333
)	
vs.)	
)	
CHARMION YELLOWCLOUD)	ORDER
)	
Defendant..)	

This matter is before the court on the defendant's Motion to Continue Trial [44]. Counsel is seeking additional time to negotiate a plea with the government. Defendant has also been subpoenaed by the government in USA v. Silas Kitto. Plea negotiations will be ongoing until that trial has been completed. Defendant shall comply with NECrimR 12.1(a). For good cause shown,

IT IS ORDERED that the Motion to Continue Trial [44] is granted as follows:

1. The jury trial, now set for July 18, 2017 is continued to **October 3, 2017**.
2. The defendant shall file an affidavit required by paragraph 9 of the progression order and NE.CrimR 12.1(a) forthwith.
3. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and October 3, 2017**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

DATED July 12, 2017.

BY THE COURT:

**s/ Michael D. Nelson
United States Magistrate Judge**